



*Maxwell Mak
Associate Professor
Department of Political Science
524 W 59th Street
New York City, NY 10019
T. 646-557-4662
mmak@jjay.cuny.edu*

TESTIMONY ON SB 310

AN ACT REQUIRING THE COMMISSIONER OF CHILDREN AND FAMILIES TO SUBMIT A REPORT ON CASEWORKER RETENTION AND PERMANENCY OUTCOMES.

via email to kidtestimony@cga.ct.gov

By: Maxwell Mak

Associate Professor

John Jay College of Criminal Justice, CUNY

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Dear Chairman Anwar, Chairwoman Linehan, Vice Chairwoman Welander, Ranking Member Senator Kelly, Ranking Member Representative Dauphinais, and Distinguished Members of the Connecticut General Assembly Children Committee:

I am writing on behalf of myself to testify in strong support of SB 310. Thank you for allowing me to participate in the important discussion of this bill.

My name is Maxwell Mak and I am currently an Associate Professor of Political Science at John Jay College of Criminal Justice, CUNY. My husband, Sean O'Neill, and I were foster parents from 2018 to 2020. We chose foster care because we were hoping to start a family and provide a home to a child who needed love and support through a difficult moment in their life. In 2018, we met our son the day after he was born, took him home, and adopted him in 2019. We know that our journey is a very different one from the more common journey of children entering care with the Department of Children and Families (DCF), but we also know that it is through the stability, support, and hard work of our social worker and her supervisor that allowed our son to be adopted in under 8 months. So, I write to you with enthusiasm and to urge you to support the passing of SB 310.

As you have read, SB 310 seeks to improve data tracking and reporting of case workers' caseloads, turnover, and permanency. The importance of this Bill is to determine whether and to what degree DCF is managing children in their care by providing consistency of care and oversight by case workers. This is not to say case workers are doing a bad job. Rather, this Bill is aimed at gathering, collecting, and reporting of data to make decisions to improve working conditions for workers and their retention. The reports to be generated by the commission will be

used to improve caseloads and case management to better serve the children in care and help them find successful and enduring permanency in safe and supportive homes. Evidence has shown that consistency of case workers can impact permanency outcomes of children placed in care; when a child's case worker changes within the first year (agnostic with regards to the reason why), the likelihood of permanency decreases by about 57 percent.¹

Why are workers so critical to the success of permanency? Along with the foster parents, case workers are the primary advocates for a child in care. The knowledge of the child's story and history are critical in providing support to the child, solving problems with the foster parent(s), and building connections between the child, the biological family, and the foster parent(s). When cases are transferred to a new worker (regardless of the reason), there are no amount of case notes or records that can convey the emotion, intuition, and passion from one worker to the next. If workers leave, there is the potential for less experienced case workers making critical decisions regarding a child's care,² decrease child well-being,³ and decrease the overall quality of service.⁴

By increasing data collection and reporting, SB 310 will work to improve paths to permanency for children in DCF care. What is not spoken of enough is that efforts to promote greater transparency and improve care can and should resolve the racial disparities inherent in the foster care system. The evidence is overwhelming when you look at the rates in which black and Hispanic children enter care compared to white children throughout the state. In 2019, more than 22 percent of the children in care were black, but the state percentage hovers around 11 percent; Hispanic children make up about 35 percent of DCF's caseload, but only 25 percent of the state's population under the age of 18 identifies as Hispanic.⁵ These numbers are more striking when compared to baseline (white, children under age 18). Here, a black child is more than 3 times more likely to enter care than a white child; Hispanic children are about 1.94 times (almost double) more likely to enter DCF care.⁶

According to DCF's own reports⁷, we see greater disparities for outcomes in terms of placements and permanency for all children of color, but the effect is most pronounced for black children.

¹ Flower, Connie, Jess McDonald, and Michael Sumski. (2005). Review of Turnover in Milwaukee County Private Agency Child Welfare Ongoing Case Management Staff. Retrieved March 3, 2022 from <https://uh.edu/socialwork/docs/cwep/national-iv-e/turnoverstudy.pdf>

² Gonzalez, Robbin Pott, Kathleen Coulborn Faller, Robert M. Ortega, and John Tropman. (2009). Exit Interviews with Department Child Welfare Workers: Preliminary Findings. *Journal of Public Child Welfare* 3(1): 40-63.

³ General Accounting Office. (2004, April). Child and family services reviews: Better use of data and improved guidance could enhance HHS's oversight of state performance. Washington, D.C: General Accounting Office GAO-04-333.

⁴ General Accounting Office. (2003, March). Child welfare: HHS could play a greater role in helping child welfare agencies recruit and retain staff. Washington, D.C: General Accounting Office GAO 03-357.

⁵ Administration on Children and Families (2019). Child Welfare Outcomes Report Data: Connecticut. Retrieved March 3, 2022 from <https://cwoutcomes.acf.hhs.gov/cwodatasite/pdf/connecticut.html>

⁶ Administration on Children and Families (2019). The AFCARS Report: State-Specific Foster Care Data. Retrieved March 3, 2022 from <https://www.acf.hhs.gov/sites/default/files/documents/cb/Entry%20%26amp%3B%20Disproportionality%20Rates%20-%20FFY%202019.pdf>

⁷ Department of Children and Family Services (2019, February 15). "Report on the Department of Children and Family Services' Racial Justice Data, Activities and Strategies." Retrieved March 3, 2022 from https://portal.ct.gov/-/media/DCF/Multicultural_Affairs/SRJW/Racial-Justice-Report_PA18_111_final.pdf

For example, black children only make up 23 percent of those children being reunified with their families in 2019, compared to 36 and 32 percent for Hispanic and white children, respectively⁸. Of the children adopted in 2019, 38 percent were white children, but only 18.5 percent of the children were black. Yet, for children remaining in the system in an alternative placement arrangement until they age out of the system (what is deemed OPPLA), the majority are black or Hispanic (62 percent).⁹

With large disparities in terms of children entering care and (even worse) the permanency outcomes, the child welfare system in Connecticut operates as a form of oppression on black and brown communities. Racial disparities are most dangerous when they are perpetuated or even ignored by the institutions that are meant to serve the community. It becomes institutionalized and embedded in the stickiness of red tape and bureaucracy, with the potential to harm families now and for generations. When that happens, the faith we have and trust we put in the system are eroded. The majority of the DCF's cases are children of color. Most of the preferred outcomes (reunification or adoption) do not benefit black children the way they do for white children. So, let's be frank. When we talk about poor outcomes because of case worker turnover, greater caseloads, or administrative mishandling, we are really talking about the injurious experiences the state perpetuates in black and brown communities.

I often teach my students that transparency is the key to creating trust in public institutions. The state legislature can increase DCF's transparency with the passage and implementation of SB 310. Without accurate data and the requirements to collect that information, policies made by DCF regarding permanency, case worker workload, case management, and even retention of employees will be based on incomplete information. Assessment and closing the proverbial loop to better serve the community require as much data as possible to make the most informed decision. If not, the policies and programming DCF creates (or its inability or unwillingness to act) may perpetuate or exacerbate problems with permanency for the children in its care.

Moreover, you may hear about DCF's inability to comply with the stipulations provided in SB 310. There is nothing being asked in SB 310 that demands any extraordinary means, exorbitant costs, or workload beyond the reporting of data that already exists in the system or information gathered from standard operating procedures of human resources offices for businesses and corporations across the state. Most importantly, administrative inefficiency is never a justification for noncompliance with a valid legislative act and the burden of additional reporting by DCF must be balanced against the potential positive, tangible benefits for DCF and the children in their care.

Here, the benefits of SB 310 far outweigh any claims that DCF might raise in its ability to effectively execute SB 310 if it were to become law. If trust decreases in DCF, the problems extend beyond the actual work that DCF does. Rather, another major problem will be the fact that people won't access DCF services when they need them or when future foster and adoptive parents won't sign up because they don't trust the work of DCF. Those are the numbers that can be prevented through better services, policies and programs based on better data gathering and

⁸ Ibid

⁹ Ibid

information. SB 310 is a needed starting point to better serving the community and the children of Connecticut.

My husband and I had the joy of meeting our son and starting our family with the help of DCF and his case worker. We know that the speed of the adoption and the smoothness of the process are not typical experiences. But, wouldn't it be great if the path to permanency (reunification, adoption, etc.) was closer to our journey? Wouldn't it be great if we could better serve the children in the state by making more informed decisions based on relevant and pertinent information that could shorten their time in DCF care, while also helping to create more enduring and positive changes? SB 310 has that potential. I hope you strongly consider supporting SB 310.

Thank you for the opportunity to testify and for your consideration.

Best regards,

A handwritten signature in black ink, appearing to read 'Maxwell Mak', with a stylized, flowing script.

Maxwell Mak
Associate Professor of Political Science
John Jay College of Criminal Justice, CUNY